

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

Civil Action No.: 2:20-CV-04444-RMG

SOLARIS, INC.,

Plaintiff,

v.

AMERICAN SOUTHERN INSURANCE  
COMPANY, NATIONWIDE MUTUAL  
FIRE INSURANCE COMPANY,  
NATIONWIDE PROPERTY AND  
CASUALTY INSURANCE COMPANY,  
EMPLOYERS MUTUAL CASUALTY  
COMPANY, UNIVERSAL INSURANCE  
COMPANY, PEERLESS INDEMNITY  
INSURANCE COMPANY, PEERLESS  
INSURANCE COMPANY, BUILDERS  
MUTUAL INSURANCE COMPANY,  
MAIN STREET AMERICA  
PROTECTION INSURANCE  
COMPANY, PENNSYLVANIA  
LUMBERMENS MUTUAL  
INSURANCE CO., OHIO CASUALTY  
INSURANCE COMPANY, OHIO  
SECURITY INSURANCE CO.,  
FEDERATED MUTUAL INSURANCE  
COMPANY, PENN NATIONAL  
SECURITY INSURANCE COMPANY,  
AMERISURE MUTUAL INSURANCE  
CO.,

Defendants.

**JOINT STIPULATION OF DISMISSAL**

**(Does Not End Case)**

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Pursuant to Rules 41(a)(1)(ii) and 41(c) of the Federal Rules of Civil Procedure, Plaintiff Solaris, Inc. (“Solaris”) and Defendant Penn National Security Insurance Company (“Penn National”) by and through the undersigned counsel, hereby stipulate that Solaris dismisses with prejudice its Third Amended Complaint alleging claims for relief against Penn National in the

above-captioned action, and that Penn National dismisses with prejudice its remaining outstanding counterclaim for relief against Solaris, with each party bearing its own fees and costs.

This the 9<sup>th</sup> day of November, 2021.

**WE SO STIPULATE:**

/s/ John I. Malone, Jr.

John I. Malone, Jr.

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**WE SO STIPULATE:**

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*Attorneys for Plaintiff Solaris, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 9<sup>th</sup> day of November, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the registered participants as identified on the Notice of Electronic filing (NEF).

Respectfully submitted this the 9<sup>th</sup> day of November, 2021.

GOLDBERG SEGALLA LLP

/s/John I. Malone, Jr.

John I. Malone, Jr.

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